IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.50154 of 2007
SUBASH PRASAD & ORS
Versus
THE STATE OF BIHAR

5/ 1/5/2008. Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend arrest in a complaint case under Sections- 420, 467, 468, 471 and 120B of I.P.C.

Learned counsel for the petitioners sought to persuade this Court that even if the allegations be correct, the dispute was essentially of civil nature for which civil litigations were pending.

In the facts of the case where the petitioners are alleged to have resold the lands to a third person after its sale to the informant and more particularly when they have lost the title suit filed by them questioning the sale deeds executed by them in favour of the informant, whereafter they have preferred a title appeal is considered as sufficient justification by this Court at this stage not to entertain any plea of anticipatory bail. The application is rejected.

Any application for regular bail shall be considered by the court below on its own merits in light of the submissions by the counsel for the petitioner of a civil dispute, without being prejudiced by the present order.

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KC **(Navin Sinha,J)**